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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/822,196

Applicant(s)

KAMINAGAYOSHI, TAKEHIRO

Examiner

Thomas K. Cheriyan

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 09 April 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-40 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-40 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- ☐ Notice of Informal Patent Application
- ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-40 are rejected under 35 U.S.C. 102(b) as being anticipated by the game Quake III Arena ([http://en.wikipedia.org/wiki/Quake\\_III\\_Arena](http://en.wikipedia.org/wiki/Quake_III_Arena)) which was released on December 3<sup>rd</sup>, 1999.

3. Regarding claim 1, the game Quake III Arena discloses the method comprising:  
receiving a request from a first player to enable gate crashing in the game **(It is inherent that in Quake III Arena, the user who creates the game can edit settings such as making the game public or private to allow other users online or on a network to join the game since it uses a “client-server architecture” as stated in Wikipedia.);**

in response to the request from the first player, transmitting information to a remote computer **(Since it uses a “client-server architecture”, all requests and information is transferred using the server);**

in response to transmitting the information to the remote computer, receiving a request from a second player to participate in the game **(The server would either**

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**allow or not allow the second player to participate in the game depending on settings made by the first player); and**

in response to the request from the second player to participate in the game, transitioning control of a character in the game from a program routine to the second player (**According to Wikipedia on Page 7, Quake III uses Bots (computer controlled players) to play online with real people. It is inherent that when a second player requests to enter a game with human and computer players, the second player will replace one of the bots and therefore transition the control of a bot player to the human player.)**

4. Regarding claim 2, the game Quake III Arena discloses transmitting information to the remote computer includes transmitting information about the game to the remote computer (**This is inherent to playing multiplayer using Quake III since it uses a “client-server architecture”.**).

5. Regarding claim 3, the game Quake III Arena discloses transmitting information to the remote computer includes transmitting information about the first player to the remote computer (**This is inherent to playing multiplayer using Quake III since it uses a “client-server architecture”.**).

6. Regarding claim 4, the game Quake III Arena discloses receiving a request from a second player to participate in the game includes receiving a non-player character selection from the second player. (**This is inherent to playing multiplayer using Quake III since it uses a “client-server architecture”.**).

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7. Regarding claim 5, the game Quake III Arena discloses transitioning control of a character in the game from a program routine to the second player includes transitioning control without signaling the first player **(According to Wikipedia on Page 7, Quake III uses Bots (computer controlled players) to play online with real people. It is inherent that when a second player requests to enter a game with human and computer players, the second player will replace one of the bots and therefore transition the control of a bot player to the human player.)**

8. Regarding claim 6, the game Quake III Arena discloses the method comprising:  
receiving a request from a first player to initiate the game in single-player mode  
**(Since it uses a “client-server architecture”, all requests and information is transferred using the server and is inherent);**

receiving a first control input from the first player **(It is inherent that the first player would have a first control input);**

controlling a first character in response to the first control input received from the first player **(It is inherent that the first player would have a first control input. The game Quake III is played using input which is controlled by the player.);**

controlling a second character in response to computer-readable instructions  
**(When the second player enters the game, that player takes over or replaces the bot which is inherent.);**

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receiving a request from a second player to control the second character **(The first player has admin rights to allow or ban people in the game which is inherent.)**;

in response to the request from the second player, transitioning control of the second character from the computer-readable instructions to the second player **(When the second player enters the game, that player takes over or replaces the bot which is inherent.)**;

receiving a second control input from the second player **(The second player would have its own computer or game console to play which is inherent.)**;  
and

controlling the second character in response to the second control input received from the second player **(Inherent since the second player joining the game would be the one in control.)**.

9. Regarding claim 7, the game Quake III Arena discloses receiving a first control input from the first player includes receiving a first control input via a first game console operably connected to a first gaming system, and wherein receiving a second control input from the second player includes receiving a second control input via a second game console operably connected to a second gaming system remote from the first gaming system **(This is inherent since Quake III Arena is an online multiplayer based game. Therefore, you would need multiple gaming consoles and a central server to play the game.)**.

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10. Regarding claim 8, the game Quake III Arena discloses transitioning control of the second character from the computer-readable instructions to the second player includes transitioning control in the absence of notifying the first player **(In the game Quake III Arena, a message box pops up displaying different types of events happening during the game such as players entering or leaving the game. These messages can be blocked so that the first player will not know when a second player enters or leaves the game.)**.

11. Regarding claim 9, the game Quake III Arena discloses receiving a third control input the second player; and if the second character is still active in the game, controlling the second game character in response to the third control input received from the second player; and if the second character is no longer active in the game, controlling a third game character in response to the third control input received from the second player **(This is inherent because you can have multiple control inputs from a game console and therefore, the second player would have the ability to control a second or a third game character in the game.)**.

12. Regarding claim 10, receiving information about one or more games from a remote computer; displaying at least a portion of the received information about the games; receiving a request to gate crash at least one of the games; and in response to receiving the request to gate crash, transmitting the request to the remote computer. **(The game Quake III Arena has a “game lobby” where a list of current active games are currently being played. This is common in most multiplayer games. If the game is private, gate crashing wouldn’t be allowed. If it is public, then players**

**are allowed to enter into the game by making the request to the remote computer.).**

13. Regarding claim 11, the game Quake III Arena discloses receiving information about one or more games from a remote computer includes receiving information about one or more non-player characters participating in the games, and wherein the method further comprises receiving a character selection corresponding to at least one of the one or more non-player characters **(The game lobby in Quake III displays the total number of people that can be in the game and the number of players that are currently active in the game.).**

14. Regarding claim 12, the game Quake III Arena discloses sorting the information about the games, and wherein displaying at least a portion of the received information includes displaying at least a portion of the sorted information **(The game Quake III Arena has a “game lobby” where a list of current active games are currently being played. This is common in most multiplayer games.).**

15. Regarding claim 13, the game Quake III Arena discloses transmitting the request to gate crash to the remote computer, implementing a peer-to-peer connection with a remote gaming system **(Since it uses a “client-server architecture”, all requests and information is transferred using the server and is inherent);**

16. Regarding claim 14, the game Quake III Arena discloses a computer-readable medium having computer-executable instructions for performing steps comprising:



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receiving a request from a first player to enable gate crashing in a game **(It is inherent that in Quake III Arena, the user who creates the game can edit settings such as making the game public or private to allow other users online or on a network to join the game since it uses a “client-server architecture” as stated in Wikipedia.);**

in response to the request from the first player, transmitting information to a remote computer **(Since it uses a “client-server architecture”, all requests and information is transferred using the server);**

in response to transmitting the information to the remote computer, receiving a request from a second player to participate in the game **(The server would either allow or not allow the second player to participate in the game depending on settings made by the first player);**

and

in response to the request from the second player to participate in the game, transitioning control of a character in the game from a program routine to the second player **(According to Wikipedia on Page 7, Quake III uses Bots (computer controlled players) to play online with real people. It is inherent that when a second player requests to enter a game with human and computer players, the second player will replace one of the bots and therefore transition the control of a bot player to the human player.)**

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17. Regarding claim 15, the game Quake III Arena discloses transmitting information to the remote computer includes transmitting information about the first player to the remote computer **(This is inherent to playing multiplayer using Quake III since it uses a “client-server architecture”).**

18. Regarding claim 16, the game Quake III Arena discloses transmitting information to the remote computer includes transmitting information about the game to the remote computer **(This is inherent to playing multiplayer using Quake III since it uses a “client-server architecture”).**

19. Regarding claim 17, the game Quake III Arena discloses receiving a request from a second player to participate in the game includes receiving a non-player character selection from the second player. **(This is inherent to playing multiplayer using Quake III Arena since players are allowed to choose their own character model to play online.).**

20. Regarding claim 18, the game Quake III Arena discloses the first player controls a first character, and wherein transitioning control of a character in the game from a program routine to the second player includes transitioning control of a second character, and wherein the steps further comprise:

receiving a first control input from the first player via a first game console operably connected to a first gaming system;

controlling the first character in response to the first control input received from the first player; **(According to Wikipedia on Page 7, Quake III uses Bots (computer controlled players) to play online with real people. It is inherent that when a**

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**second player requests to enter a game with human and computer players, the second player will replace one of the bots and therefore transition the control of a bot player to the human player. It is also inherent that the first player would have its own control input system connected the first gaming system.);**

receiving a second control input from the second player via a second game console operably connected to a second gaming system remote from the first gaming system **(The second player would have its own computer or game console to play which is inherent.); and**

controlling the second character in response to the second control input received from the second player **(Inherent since the second player joining the game would be the one in control.).**

21. Regarding claim 19, the game Quake III Arena discloses receiving a third control input from the second player; and

if the second character is still active in the game, controlling the second game character in response to the third control input received from the second player; and

if the second character is no longer active in the game, controlling a third game character in response to the third control input received from the second player **(This is inherent because you can have multiple control inputs from a game console and therefore, the second player would have the ability to control a second or a third game character in the game.).**

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22. Regarding claim 20, the game Quake III Arena discloses receiving information about a game being played on a first gaming system (**The game Quake III Arena has a “game lobby” where a list of current active games are currently being played. This is common in most multiplayer games.**); transmitting the information about the game to a second gaming system remote from the first gaming system (**Since it uses a “client-server architecture”, all requests and information is transferred using the server and is inherent**); receiving a request from the second gaming system to gate crash the game (**This is inherent to playing multiplayer using Quake III since it uses a “client-server architecture”.**); and in response to receiving the request from the second gaming system, establishing a peer-to-peer connection between the first and second gaming systems (**This is inherent to playing multiplayer using Quake III since it uses a “client-server architecture”.**).

23. Regarding claim 21, the game Quake III Arena discloses receiving information about a game includes receiving information about a console-based game (**This is inherent since in the game lobby, you would get that type of information when you are viewing the list of games.**).

24. Regarding claim 22, the game Quake III Arena discloses receiving information about a game includes receiving information about a console-based game, and wherein receiving a request from the second gaming system to join the console-based game includes receiving a character selection from the second gaming system (**This is inherent to the game Quake III Arena. In the game, users can select which character they would like to use when playing online. After selecting the**

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**character they wish to use, the can play with that character when they enter into a current online game.).**

25. Regarding claim 23, the game Quake III Arena discloses transmitting information about the game to a third gaming system; receiving a request from the third gaming system to join the game; and in response to receiving the request from the third gaming system, establishing a peer-to-peer connection between the first and third gaming systems **(This is inherent to the game Quake III Arena. The game can support multiple players playing in a game at the same time so it can therefore disclose information about a game to a third gaming system, receive a request to join the game, and in response, create a P2P connection to allow the third user to join the game with the first user who is hosting the game.).**

26. Regarding claim 24, the game Quake III Arena discloses the means for receiving a request from a first player to allow control of a game character to be transitioned from a program routine to a remote player **(This is inherent to the game Quake III Arena because the first player has admin abilities to allow/ban other players from entering the game and replacing bots in the game with themselves.);**

means for transmitting game-related information to a remote computer in response to the request from the first player **(This is inherent since the remote computer trying to join the game would know about the game information from the game lobby).;**  
and

means for receiving a request from a second player to participate in the game in response to transmitting the information to the remote computer **(This is inherent to**

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**the game Quake III Arena because the first player has admin abilities to allow/ban other players from entering the game and replacing bots in the game with themselves.);**

27. Regarding claim 25, the game Quake III Arena discloses the means for receiving a request from a first player include means for receiving a request from a first player to allow control of a game character to be transitioned from a program routine to a remote player during the game without the knowledge of the first player **(In the game Quake III Arena, a message box pops up displaying different types of events happening during the game such as players entering or leaving the game. These messages can be blocked so that the first player will not know when a second player enters or leaves the game.).**

28. Regarding claim 26, the game Quake III Arena discloses the first player controls a first game character, and wherein the system further comprises means for enabling the second player to control a second character in response to the request from the second player to participate in the game **(This is inherent since after the request of the second player joining the game, he would be able to control a character in the game.).**

29. Regarding claim 27, the game Quake III Arena discloses the first player controls a first game character, and wherein the system further comprises means for transitioning control of a second character from a program routine to the second player in response to the request from the second player to participate in the game **(This is**

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**inherent since after the request of the second player joining the game, he would be able to control a character in the game.).**

30. Regarding claim 28, the game Quake III Arena discloses the means for receiving a request from a second player to participate in the game includes means for receiving a character selection from the second player **(This is inherent to playing multiplayer using Quake III Arena since players are allowed to choose their own character model to play online.).**

31. Regarding claim 29, the game Quake III Arena discloses means for receiving a first control input from the first player;

means for controlling a first character in response to the first control input received from the first player **(Inherent since the first player can control the first character in the game);**

means for controlling a second character in response to computer-readable instructions game **(This is inherent since after the request of the second player joining the game, he would be able to control a character in the game.);**

means for receiving a second control input from the second player; and

means for controlling the second character in response to the second control input received from the second player game **(This is inherent since after the request of the second player joining the game, he would be able to control a character in the game.).**

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32. Regarding claim 30, the game Quake III Arena discloses means for establishing a peer- to-peer connection between a first gaming system on which the first player is playing and a second gaming system on which the second player is playing **(Since it uses a “client-server architecture”, all requests and information is transferred using the server and is inherent);**

33. Regarding claim 31, the game Quake III Arena discloses means for transmitting game-related information include means for transmitting information about a console-based game from a first gaming system to a second gaming system **(This is inherent since the game uses a “client-server architecture.”)**.

34. Regarding claim 32, the game Quake III Arena discloses a screen display, the screen display comprising:

at least one gate crasher selection field configured to receive an input from a first user, wherein the first user input enables control of at least one character in a related game to be transitioned from a program routine to a second player **(This is inherent to the game Quake III Arena. The game lobby allows other players to “gate crash” into other games which have been enabled by the first player which would be shown in multiple fields on the screen display.)**.

35. Regarding claim 33, the game Quake III Arena discloses the screen display further comprises:

at least one gate crasher attribute field configured to receive a user input establishing at least one attribute of potential gate crashers in the related game **(This is inherent to**



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**the game Quake III Arena. The game lobby allows other players to “gate crash” into other games which have been enabled by the first player which would be shown in multiple fields on the screen display.).**

36. Regarding claim 34, the game Quake III Arena discloses the screen display further comprises:

a gate crasher skill level field configured to receive a user input establishing a skill level of potential gate crashers in the related game **(In the game Quake III Arena, it is inherent you have the ability to see other players stats including kills/death ratio which reflects the skill level of each player which is shown on the display).**

37. Regarding claim 35, the game Quake III Arena discloses the screen display further comprises:

a gate crasher alias field configured to receive a user input identifying an alias of at least one potential gate crasher in the related game **(In the game Quake III Arena, all players have user names which are their alias's so that other players can identify them in the game which can be used to identify a potential gate crasher.).**

38. Regarding claim 36, the game Quake III Arena a screen display, the screen display comprising:

at least one gate crasher selection field configured to receive a user input, wherein the user input enables the user to assume control of a character being controlled by a program routine in a related game being played on a remote gaming system **(This is**

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**inherent to the game Quake III Arena. When a player enters a game, he can assume the control of a bot already being played in the game or can just enter the game without taking over a bot on a remote game system.).**

39. Regarding claim 37, the game Quake III Arena discloses a screen display, the screen display comprising:

one or more fields configured to receive game filtering criteria **(This is inherent to the game Quake III Arena. In the game lobby, you can apply different types of filters so for example, you can see all the multiplayer games that are playing on a certain game map.).**

40. Regarding claim 38, the game Quake III Arena discloses a screen display comprising:

a game type field configured to receive a user input indicating a type of game the user desires to crash **(This is inherent to the game Quake III Arena. In the game lobby, you can apply different types of filters so for example, you can see all the multiplayer games that are playing on a certain game map.).**

41. Regarding claim 39, the game Quake III Arena discloses a screen display comprising:

an alias field configured to receive a user input indicating an alias of a host player with which the user wishes to compete **(This is inherent to the game Quake III Arena. In the game lobby, you can apply different types of filters so for example, you can**

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**see all the multiplayer games that are playing on a certain game map including the ability to search for other players on a server.).**

42. Regarding claim 40, the game Quake III Arena discloses a screen display comprising:

an alias field configured to receive a user input indicating an alias of a host player with which the user wishes to compete **(This is inherent to the game Quake III Arena. In the game lobby, you can apply different types of filters so for example, you can see all the multiplayer games that are playing on a certain game map including the ability to search for other players on a server.).**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas K. Cheriyan whose telephone number is 571-270-3225. The examiner can normally be reached on Mon-Fri 7:30AM-5:00PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marvin Lateef can be reached on 571-272-5026. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



TUAN HO  
PRIMARY EXAMINER